UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:05CV498

BARRY W. THOMAS,)	
Plaintiff,)	<u>ORDER</u>
V.)	
v.)	
PALM, INC.,)	
Defendant.)	
)	

Upon joint motion of Plaintiff Barry W. Thomas and Defendant Palm, Inc. for an order of dismissal pursuant to a confidential settlement agreement, (Doc. No. 111), it is hereby **ORDERED** that the claims of Plaintiff against Palm and the counterclaims of Palm against Plaintiff are **DISMISSED WITH PREJUDICE**. Each party shall bear its own costs and attorney fees attributable to the prosecution and defense of the claims and counterclaims.

Signed: August 22, 2006

Robert J. Conrad, Jr.

Chief United States District Judge